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April 2, 2008

VIA ECF

Judge Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl St., Room 1010
New York, NY 10007

RE: Stevens v. Kerioth Corp.
Civil Action No.: 08-CV-01491 (SHS/AJP)

Dear Judge Stein:

We represent the defendants in the above-referenced matter.

With the parties having conferred in accordance with Fed. R. Civ. Proc. 26, we enclose the Proposed Scheduling Order agreed to by the parties.

Thank you for your attention to this matter

Sincerely,


Thomas M. Mealiffe

To:

Curtis V. Trinko
LAW OFFICES OF CURTIS V. TRINKO, LLP
16 West 46th Street, 7th Floor
New York, New York 10036

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALAN G. STEVENS

Plaintiff,

vs.

KERIOTH CORPORATION, KERIOTH REALTY
COMPANY, LLC, KERIOTH CONSTRUCTION
INCORPORATED, CLINTON G. HERRING, JR.,
AND DAVID W. HATCHETT

Defendants.

Civil Action No.:
08-CV-01491 (SHS/AJP)

[PROPOSED] SCHEDULING ORDER

On this ____ day of April 2008, the Court having conducted a pretrial scheduling conference pursuant to Fed. R. Civ. P. 16 and Local Rule 16.1(a).

IT IS ORDERED that:

1. The parties shall exchange the initial disclosures required under Federal Rule of Civil Procedure 26(a)(1) no later than **April 25, 2008**.
2. The parties shall serve their first request for production of documents, pursuant to Federal Rule of Civil Procedure 34, no later than **May 16, 2008**.
3. The parties shall serve their initial notices of deposition, pursuant to Federal Rule of Civil Procedure 30, no later than **June 27, 2008**.
4. Depositions of the parties shall commence after **July 21, 2008** at mutually convenient dates and times, without prejudice to either party conducting a non-party deposition beforehand at a mutually convenient date, time and place. Plaintiff and defendant may depose up to 5 deponents each. Each party shall be entitled to take a personal deposition of any witness designated under Rule 30(b)(6), and such a personal deposition shall not count against the total number of depositions allowed.
5. No later than **September 22, 2008**, the parties shall serve subpoenas upon any third-party witnesses seeking the production of documents and/or depositions.

6. On **November 14, 2008**, the Court will hold a status conference. If either plaintiff or defendant believes that additional time is required in order to complete fact discovery, a request for more time shall be made at or before this status conference. If plaintiff and defendant believe that no additional time is required, then fact discovery will end on **December 19, 2008**.

7. No later than **January 16, 2009**, the parties shall serve their initial expert reports pursuant to Federal Rule of Civil Procedure 26(a)(2) on issues on which they bear the burden of proof, except damages. The reports shall set forth the facts on which the expert relies and the process of reasoning by which the expert's conclusions are reached.

8. No later than **February 13, 2009** rebuttal expert reports, pursuant to Federal Rule of Civil Procedure 26(a)(2), shall be served.

9. Expert discovery, including any expert depositions, shall be completed on or before **March 13, 2009**.

10. No later than **May 15, 2009**, the parties shall file and serve any dispositive motions. Any opposition shall be filed and served thirty days after the filing and service of the dispositive motion. Any reply shall be filed and served ten days after the filing and service of the opposition.

United States District Judge